

REMARKS¹

In the Office Action mailed December 11, 2007 ("Office Action"), the Examiner rejected claims 1, 4-5, 7-9, 12, 15-17, 19-21, 28-20, and 33-35 under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2003/0086481 ("Sih"); and objected to claims 10-11, 22-25, 31-32, and 36-39 as being dependent on a rejected base claim, but otherwise containing allowable subject matter.

By this amendment, Applicants amend claims 1, 5, 7-9, 12, 19-21, 29-30, 33-34, and 37. Applicants have canceled claims 35 and 39 without prejudice and solely to advance the prosecution of this application. Claims 1, 4-5, 7-12, 15-17, 19-25, 28-34, and 36-38 are now pending in this application.

I. Examiner Interview

Applicants appreciate the courtesy extended to Applicants' representative in the telephone interview of January 31, 2008. In the interview, Applicants' representative presented reasoning as to why at least independent claim 1 and dependent claim 8 are not anticipated by Sih. The Examiner, however, requested that the reasoning be presented in writing for further consideration.

II. Allowable Subject Matter

Claims 10-11, 22-25, 31-32, and 36-39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including

¹The Office Action contains statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

all of the limitations of the base claim and any intervening claims. Applicants gratefully acknowledge the indication of allowable subject matter in claims 10-11, 22-25, 31-32, and 36-39.

III. Claim Rejections under 35 U.S.C. § 102

The rejection of claim 35 is moot.

Applicants respectfully traverse the Examiner's rejection of claims 1, 4-5, 7-9, 12, 15-17, 19-21, 28-30, and 33-34 under 35 U.S.C. § 102(e). In order to properly anticipate Applicants' claimed invention under 35 U.S.C. § 102, each and every element of the claim in issue must be found, "either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)." See MPEP § 2131, 8th Ed. (Rev. 6), September, 2007. *Sih* cannot anticipate claims 1, 4-5, 7-9, 12, 15-17, 19-21, 28-30, and 33-34 because *Sih* fails to disclose each and every element recited in the claims.

A. Claims 1 and 12

Amended claim 1 recites a method comprising, *inter alia*,

generating a plurality of interrupts in a transfer of symbols from fingers of a rake receiver to a processor at a rate of generation per unit time independent of a time rate of the symbol boundaries, wherein each of the plurality of interrupts

is generated to signal the transfer of one of the symbols from one of the fingers of the rake receiver to the processor.

Sih fails to teach or suggest at least this feature of the claimed method.

Sih generally discloses techniques “for decoupling of chip rate processing from chip time, which allows a single offline processing unit to service a plurality of fingers.” (*Sih*, abstract). As shown in Fig. 4, and detailed in the accompanying description, a demodulator processes multiple fingers using an offline processor rather than using “a multiple finger real-time architecture.” *Id.*, at [0032]. *Sih* discloses first receiving and storing I and Q samples in RAM. *Id.*, at [0039]. According to *Sih*, by storing the samples in RAM, “processing does not begin until all the samples constituting a symbol are stored.” *Id.*, [0038]. In other words, the offline processor uses “time sharing” to process symbols from I and Q samples received on a plurality of fingers. For example, once all I and Q samples comprising symbol A for finger 1 are available in RAM, the offline processor is “setup for finger 1 and processes symbol A.” *Id.*, at [0038]. Similarly, once all I and Q samples comprising symbol A for finger 2 are available in RAM, the offline processor begins processing symbol A for finger 2, as shown in Fig. 6. *Sih* further discloses that a plurality of finger counters are used “[t]o handle the scheduling of finger processing in offline processor unit.” *Id.*, at [0041]. In particular, each counter issues a processing request to the offline processor on symbol boundaries. In other words, *Sih* discloses a single finger processor, which processes data from all of the fingers, receiving processing requests (i.e. interrupts) to process I and Q samples for a particular finger.

Sih, however, provides no disclosure of “generating a plurality of interrupts in a transfer of symbols from fingers of a rake receiver to a processor at a rate of generation per unit time independent of a time rate of the symbol boundaries, wherein each of the plurality of interrupts is generated to signal the transfer of one of the symbols from one of the fingers of the rake receiver to the processor,” as recited in amended claim 1. In contrast to amended claim 1, *Sih* is limited to finger counters generating a plurality of interrupts to initiate the processing of I and Q samples used to generate symbols. In other words, *Sih* discloses that interrupts are generated prior to symbol processing.

According to the MPEP, “[i]n order to anticipate the claims, the claimed subject matter must be disclosed in the reference with ‘sufficient specificity to constitute an anticipation under the statute.’” MPEP § 2131.03, 8th Ed., Rev. 6 (September 2007) (emphasis added.). It is not enough to disclose all of the claim elements, rather “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” *Id.*, at § 2131 (internal citations omitted). As demonstrated above, *Sih* fails to provide the necessary disclosure to be anticipatory.

Accordingly, amended claim 1 is allowable over *Sih*. Moreover, claims 4-5, amended claims 7-9, and claim 28, are allowable at least due to their dependence from amended claim 1. Applicants therefore respectfully request that the Examiner withdraw the rejection of claims 1, 4-5, 7-9, and 28 under 35 U.S.C. § 102(e).

Although of different scope than claim 1, amended claim 12 is patentable over *Sih* for at least the same reasons as amended claim 1. For example, amended claim 12 includes “wherein each of the interrupts is generated to signal the transfer of one of the

symbols from one of the fingers of the rake receiver to the processor," which is not taught or suggested by *Sih*. Moreover, claims 15-17 and amended claims 19-21 are allowable at least due to their dependence from amended claim 12. Applicants therefore respectfully request that the Examiner withdraw the rejection of claims 12, 15-17, and 19-21 under 35 U.S.C. § 102(e).

B. Claims 8 and 19

Amended claim 8 recites a method comprising, *inter alia*,

writing symbols from a first of said fingers to an available one of a first data register and a second data register; and writing symbols from a second of said fingers to another available one of said first data register and said second data register.

Sih fails to teach or suggest at least this combination.

Sih generally discloses receiving and storing I and Q samples in RAM. *Id.*, at [0039]. During symbol processing, "I and Q samples are read from sample RAM." *Id.*, at [0040]. For example, as shown in Fig. 6, "[a]t time 64, all the samples required to process symbol A for finger 1 are available," and "[a]t time 96, the samples necessary to process symbol A on finger 2 are available in RAM." *Id.*, at [0038]. Similarly, Fig. 5, further discloses I and Q samples are received by a sample RAM.

Sih, however, provides no disclosure of "writing symbols from a first of said fingers to an available one of a first data register and a second data register; and writing symbols from a second of said fingers to another available one of said first data register and said second data register," as recited in amended claim 8. In contrast to amended claim 8, *Sih* discloses at most writing I and Q samples to a sample RAM prior to symbol

processing. In fact, *Sih* discloses by storing the I and Q samples in RAM the "[o]ffline processing unit 410 can then be run much faster than a real time finger." *Id.*, at [0032].

Accordingly, amended claim 8 is allowable over *Sih*. Moreover, amended claim 9 is allowable at least due to its dependence from amended claim 8. Applicants therefore respectfully request that the Examiner withdraw the rejection of claims 8-9 under 35 U.S.C. § 102(e).

Although of different scope than amended claim 8, amended claim 19 is patentable over *Sih* for at least the same reasons as amended claim 8. For example, amended claim 19 includes "wherein a first of said fingers is able to write symbols to an available one of a first data register and a second data register, and a second of said fingers is able to write symbols to another available one of said first data register and said second data register," which is not taught or suggested by *Sih*.

Accordingly, amended claim 19 is allowable over *Sih*. Moreover, amended claims 20-21 are allowable at least due to their dependence from amended claim 19. Applicants therefore respectfully request that the Examiner withdraw the rejection of claims 19-21 under 35 U.S.C. § 102(e).

C. Claims 29 and 33

Although of different scope than amended claim 1, amended claim 29 and amended claim 33 are patentable over *Sih* for at least the same reasons as amended claim 1 and amended claim 8. For example, amended claim 29 includes "wherein each interrupt is generated to signal the transfer of each symbol from each finger of the rake receiver to the processor," and "writing symbols from a first finger to an available one of

a first data register and a second data register; writing symbols from a second finger to another available one of a first data register and a second data register," which are not taught or suggested by *Sih*. Similarly, amended claim 33, for example, includes "wherein each interrupt is generated to signal the transfer of each symbol from each finger of the rake receiver to the processor," and "a first of the fingers is able to write symbols to an available one of a first data register and a second data register; a second of the fingers is able to write symbols to another available one of the first data register and the second data register," which are not taught or suggested by *Sih*.

Accordingly, amended claims 29 and 33 are allowable over *Sih*. Moreover, amended claims 30 and 34 are allowable at least due to their dependence from amended claims 29 and 33, respectively. Applicants therefore respectfully request that the Examiner withdraw the rejection of claims 29, 30, and 33-34 under 35 U.S.C. § 102(e).

IV. Conclusion

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1, 4-5, 7-12, 15-17, 19-25, 28-34, and 36-38 in condition for allowance.

In view of the foregoing amendments and remarks, Applicants submit that this claimed invention, as amended is not anticipated nor rendered obvious in view of the prior art reference cited against this application. Applicants therefore request the entry

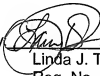
of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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